

**SANDPOINT PLANNING COMMISSION MEETING
5:30 P.M. CITY HALL COUNCIL CHAMBERS
MINUTES OF OCTOBER 2, 2018**

COMMISSION MEMBERS PRESENT: Tom Riggs, Danny Strauss, Slate Kamp, Gregory Crettol, Thomas Russell, Jason Meyer

COMMISSION MEMBERS ABSENT: Cate Huisman

STAFF MEMBERS PRESENT: Planning & Community Economic Director Aaron Qualls, Planner Ryan Shea (minutes), Public Works Director Amanda Wilson

Chairman Riggs called the meeting to order at 5:30 p.m.

Crettol introduced himself to the commission.

Matters from the Public: None.

Approval of the Consent:

Russell pointed out that he needed to be added as “present” to the minutes of September 4th. Commissioner Russell moved to approve as amended and Commissioner Kamp seconded to approve the minutes of September 4th. ***Motion passes unanimously.***

Agenda Item C: Request for Spring Creek PUD Setback Minor Modification

Russell disclosed that he worked for the engineering firm that originally subdivided the land. He said his involvement was fairly limited and would not impair his judgement to be impartial in this matter.

Qualls began the presentation by saying that as part of the PUD (Planned Unit Development) requirements there is a standard 25’ setback along the boundaries of all PUDs. Additionally, there are two more 25’ easements: a fence and utility easement. Qualls said that the utility easement is being reduced to 10’ administratively and is not to be considered by the Commission tonight. The applicant has requested that these 25’ setbacks be reduced to 10’ for 3 lots within the Subdivision: Block 2, Lot 3, and Block 1, Lots 1 and 6. Qualls clarified that tonight is not a public hearing but instead a determination if the request is in conflict with the public interest.

Comments:

- Intermax is neutral on the request and does not have any utilities in the area.
- Scott Richardson writes that “... I live at 312 Creekview Court Sandpoint Idaho. I live next to block 2 lot 3 and I fully support easement adjustment because all I have right now is a weed farm next to me doing this adjustment will be allowed to put in a normal sized home which would fit with the neighborhood instead of a skinny 2 story which was planned.”
- Doug Burris of 3210 Spring Creek Way states that he is neutral and comments that “The plat date is 05/29/07, 11 years ago. I have to believe that there was some approved

methodology to the original lot demarcations and fail to see why the requested deviations are warranted given the relative short time frame since designations were made. Still lacking any experience I fail to see any direct detriments to the proposed changes and welcome further discussion on this issue.”

- Avista Utilities supports the request.

Qualls said that staff has recommended the Commission consider eliminating the entire length of the 25' PUD setback so that future applicants do not have to go through this process all over again. Riggs said that there does not appear to be anything in the staff report saying that reducing the setback is creating a problem from the city's standpoint. Qualls said that is correct after speaking with the city's departments, stakeholders, and the submitted comments.

Doug Smith addressed the commission and said that Aaron summed it up well. He said that reducing the setback/easements would make it much easier to build on these lots.

Strauss asked staff what the purpose of these 25' setbacks are. Qualls said that PUDs are typically ways to get additional density and that at the time the 25' setback was a way to mitigate issues with nearby properties. Strauss asked what the current regulations are for this if the 25' PUD requirement was never present. Qualls said that the current setback regulations are normally 5' from the side and 15' from the rear. Qualls clarified that a 10' utility easement would remain in place. Kamp asked if the 25' setback makes the parcel unbuildable. Qualls said that the 25' setback encumbers large portions of the lots but doesn't make them unbuildable. Russell asked Wilson if Public Works had any concerns about the applicant's proposal. Wilson stated that they did not. Strauss asked if the setback standards as pointed out on the original plat needed to be included on the new plat.

Qualls suggested that the Commission also consider including the fence easement in the motion. Russell asked what the minimum build-to line would be if the easement was eliminated. Qualls said it would be down to 10' due to the remaining 10' fence and utility easements. Russell said that he is not comfortable to go down to 5' and that 10' is more suitable.

Crettol asked if Boyer was ever expanded would the expansion encroach into the 25' setback. Qualls clarified that if Boyer Ave was expanded that it would occur in the currently existing right-of-way and not on the lots in question.

Staff clarified for the commission how far from the travel lane the property line is, roughly 13.5' and then adding in the 10' setback would make it 23.5'. Wilson said that on an Interstate the distance would be 30' to an obstruction so that 23.5' is more than enough to buffer traffic from any structure built on these lots.

Crettol asked if Alternative #2 eliminating the entire 25' setback along the subdivision would be from the roundabout. Qualls said no it is just the length of the subdivision. Strauss said he was not comfortable with eliminating the entire length of the setback.

Strauss motioned that Sandpoint Planning Commission, after consideration of the criteria and relevant standards of Idaho Code and Sandpoint City Code, AGREE the request by Larry Toppenberg for a modification to the Spring Creek Planned Unit Development to eliminate the boundary setback of 25' and reduce the fence easement setback to 10' on Block 2, Lot 3, and

Block 1, Lots 1 and 6 is a minor modification to the Planned United Development approved on December 21, 2005. The reasons for approving this request are that the request is not in conflict with the public interest and the requested modification is consistent with the overall planning goals and objectives outlined in the Comprehensive Plan. Crettol seconded the motion. ***Motion passes unanimously.***

Commissioner Meyers joined the commission at 6:04 pm.

Agenda Item B: Review and Discuss Sandpoint City Code Title 9, Chapter 5, Off Street Parking and Loading Facilities

Qualls said that City Council proposed minor changes and that they were unsure on the standards for the deregulated zone and provided no clear direction.

Qualls said that one of the proposed changes was the addition of an annual reporting requirement to ensure that applicants getting off street parking credit for providing affordable housing continued to meet the requirements for providing it as agreed upon on. If the applicant no longer provides affordable housing then they must install additional off street parking. Qualls clarified that Planning Staff would be the ones to administer this.

Qualls next went over hard surfacing requirements, §9-5-6, and said staff went over whether or not all parking lots in all zones should be hard surfaced. Qualls said currently any off street parking currently is required to be hard surfaced.

Russell asked if there would be any stipulation for ADA parking spots in Industrial zones and how removing the hard surfacing requirements would affect ADA spots. Staff said that the ADA areas would still need to be maintained to standards. Russell wondered if there is any concern about tracking dirt onto city streets. Wilson said ultimately these projects would need to be reviewed/approved by the City Engineer. Russell suggested considering having a certain percentage of spots required to be hard surfaced and then everything else can be gravel.

Riggs asked staff why the removal of this standard? Why would we want to dilute this standard and go backwards? Qualls said that parking lot improvements can oftentimes get in the way of economic development. Kamp said that asphalt lots tends to not stand the test of time with heavier equipment and that rock lots would provide a level of flexibility for an applicant. Wilson said that there are some types of uses that shouldn't be paved, like a concrete batch plant and that having some flexibility in Industrial zones might make sense.

Riggs asked for clarification on what the Commission needed to do tonight on this agenda item. Qualls said that if the Commission is comfortable where the ordinance is tonight they can choose to schedule a public hearing at one of the next meetings. Riggs asked the Commission how they felt about leaving some unpaved areas in Industrial zones. Russell said that he would be more comfortable with a certain percentage of Industrial lots be paved (e.g. areas for employees). Crettol asked if the City Engineer could review these proposals. Wilson said yes he could comment on this. The commission agreed to incorporate some language addressing this.

Qualls next went over the code for Wheel Blocks and suggested rewording the requirements for wheel blocks that they "may" be required because wheel blocks can pose problems in some

circumstances like snow removal. Riggs suggested explicitly restating the wording to say “may be required by the city.” Qualls said staff could add that change.

Crettol said that the boundary of the deregulated area was discussed for the first part of the meeting. Russell said that there didn’t seem to be any kind of clear direction on this issue from City Council. Qualls asked the Commission if they wanted to continue working on it at these meetings or move forward to a public hearing with what they have now. Riggs said the Commission has already spent a significant amount of time on this code. Riggs suggested moving forward to public hearing. Russell said that at the City Council meeting a suggestion was brought up to reduce parking requirements by half in the expanded zone. Qualls said that this was a suggestion by the member of the public. Russell said that some Council members seemed uncomfortable with completely deregulating parking in the expanded zone and this was brought up as a compromise. The commission agreed to move the code forward to a public hearing for the November 6th meeting.

Kamp asked if a CUP (Conditional Use Permit) comes into play on any of these requirements. Qualls said that no, from tonight’s conversation it sounds like the City Engineer would be the approval method for the hard surfacing requirements. Wilson asked if a CUP could be used instead. Qualls suggested that CUPs can add a significant amount of time to the development process. He also said that a variance could be sought for relief of any requirements that were presented an undue hardship.

MATTERS FROM STAFF: Wilson gave a quick update on Downtown construction. Wilson said that most of the construction downtown should be wrapped up around October 12th. Wilson said that Public Works is endeavoring to give the public a better idea of the construction windows moving forward. Wilson said that the city has also been tracking revenues of the businesses along Cedar and most of the businesses have actually seen an increase in revenues despite the construction.

Russell asked Wilson if more human scale street lights will be installed. Wilson stated that 25 of them are slated to be installed but are slightly postponed because they are being funded by a grant and won’t be installed around Thanksgiving.

Qualls said that Bonner County is applying for a community assistance grant for wildfire planning.

ADJOURNMENT: The meeting adjourned at 6:41 p.m.